

# COMMITTEE AMENDMENT FORM

DATE: 7/30/08

COMMITTEE      ZONING      PAGE NUM. (S)

ORDINANCE I. D. #08-O-1136      SECTION (S)

RESOLUTION I. D. #08-R-      PARA.

AMENDS THE LEGISLATION BY ADDING ONE (1) CONDITION A SITE  
PLAN RECEIVED BY THE BUREAU OF PLANNING APRIL 21, 2008.

AMENDMENT DONE BY COUNCIL STAFF 7/30/08

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City Council  
Atlanta, Georgia

**08-0-1136**

AN ORDINANCE  
BY: ZONING COMMITTEE

Z-08-30  
Date Filed: 4-21-08

**AN ORDINANCE TO AMEND ORDINANCE 05-O-0870 ADOPTED BY THE CITY COUNCIL ON SEPTEMBER 19, 2005 AND THE MAYOR ON SEPTEMBER 27, 2005 AND 02-O-0049 ADOPTED BY THE CITY COUNCIL ON MARCH 4, 2002 AND APPROVED BY ACTION OF LAW ON MARCH 12, 2002 FOR PROPERTY LOCATED AT 456 PATTERSON AVENUE, S.E. (FORMERLY ONE LOT ADDRESSED AS 460 PATTERSON AVENUE, S.E.) FOR THE PURPOSE OF A CHANGE OF CONDITIONS.**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **456 Patterson Avenue, S.E.**, be amended in accordance with a revised set of zoning conditions, to wit:

ALL THAT TRACT or parcel of land lying in Land Lot 177, 15<sup>th</sup> District, Dekalb County, Georgia, being more particularly described by the attached legal description and/or survey/map.

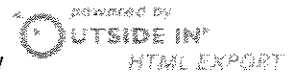
SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.



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ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 177 of the 15th District, City of Atlanta, Fulton County, Georgia, and being more particularly described as follows:

COMMENCING at a point located at the right-of-way intersection of Patterson Avenue and Metropolitan Avenue and proceeding Southerly along the Easterly right-of-way of Patterson Avenue 291.80 feet to a 1" open top pipe said point being THE TRUE POINT OF BEGINNING, Thence South 84 degrees 33 Minutes 12 Seconds East 263.78 feet to an iron pin set; Thence South 00 Degrees 18 Minutes 04 Seconds 33.78 feet to an iron pin set; Thence 89 Degrees 49 Minutes 15 Seconds West 262.55 feet to an iron pin set; Thence North 00 Degrees 07 Minutes 52 Seconds East 58.00 feet to a 1" open top pin said pin being the TRUE POINT OF BEGINNING.

Said parcel containing 12, 052 square feet or 0.28 acres more or less.

Z-08-30

City Council  
Atlanta, Georgia

**08-O-1137**

AN AMENDED ORDINANCE  
BY: ZONING COMMITTEE

Z-08-32  
Date Filed: 5-12-08

**AN ORDINANCE TO AMEND ORDINANCE E-78-3 ADOPTED BY THE CITY COUNCIL ON NOVEMBER 6, 1978 AND RETURNED BY THE MAYOR, WITH NO SIGNATURE ON NOVEMBER 14, 1978 WHICH APPROVED AN EXCEPTION FOR A COMMUNITY UNIT PLAN (CUP), NOW A PLANNED DEVELOPMENT-HOUSING (PD-H) FOR PROPERTY PREVIOUSLY ADDRESSED UNDER THE CUP AS 3355 RIDGEWOOD ROAD, N.W. FOR THE PURPOSE OF A SITE PLAN AMENDMENT.**

**OWNER: WILLIAM M. MCCLATCHEY AS TRUSTEE OF THE MARVIN R. MCCLATCHEY RESIDUARY TRUST UNDER THE WILL OF MARVIN R. MCCLATCHEY  
APPLICANT: WILLIAM M. MCCLATCHEY AS TRUSTEE OF THE MARVIN R. MCCLATCHEY RESIDUARY TRUST UNDER THE WILL OF MARVIN R. MCCLATCHEY**

NPU-A

COUNCIL DISTRICT 8

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

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SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **3355 RIDGEWOOD ROAD, N.W.** be amended in accordance with a revised site plan titled "McClatchey Estate" and attached as Exhibit A, to wit:

ALL THAT TRACT or parcel of land lying in Land Lots 217 and 234, 17<sup>th</sup> District, Fulton County, Georgia, being more particularly described by the attached legal description and/or survey/map.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations: District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

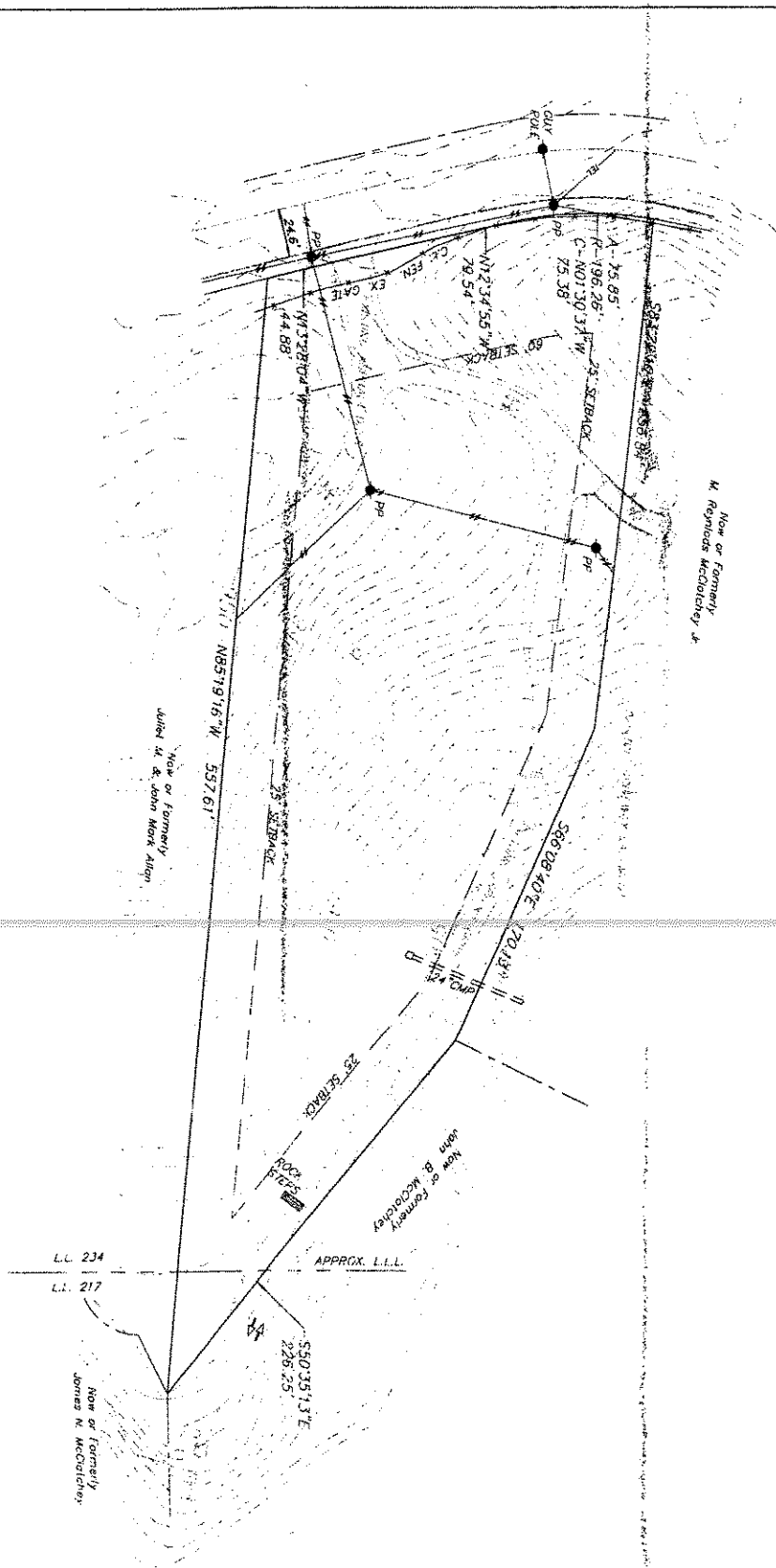
**Condition for Z-08-32 for 3355 Ridgewood Rd., N.W.**

1. Site Plan, dated May 12, 2008 titled "McClatchey Estate" and marked received by the Bureau of Planning on June 30, 2008.

ZONING	CD-1A
MAXIMUM BUILDING AREA	20,562 SF
DWELLING UNITS	35 FEET
BUILDING HEIGHT	1.4 FLOORS
NET LAND AREA	1.80 ACRES
GROSS LAND AREA	
MAX ALLOWED	PROPOSED
FLOOR AREA RATIO	0.25 0.25
MAX LOT COVERAGE	25% 25%

RECEIVED  
JUN 30 2008  
Bureau of  
Planning

208-33



NOTES:  
1. THIS SITE IS NOT IN A 100'-TALL FLOODPLAIN PER FLUVA MAP NUMBER 1121020071 E DATED JAN. 22, 1986.  
2. EASEMENT ZONING IS PD-1.  
3. PARCELS FORMING IS PD-1 WITH CONDITIONS.  
4. POSSIBLE FENCED ACCESS DUES AND STRUCTURES.  
5. BASES FOR EXISTING HOUSES, PROPOSED THAT NO STOP DRINK SHALL BE WITHIN 50 FEET OF ANY LOT LINE.  
6. QUEST HOUSE, SEWAGE TREATERS, OR LOOKING FACILITIES FOR EARTHQUAKES OR WATERSHED.  
7. SWIMMING POOL, TENNIS COURTS, OR SHALE FACILITIES.  
8. HOME OCCUPATION, SUBJECT TO LIMITATIONS SET FORTH IN SECTION 16-20.01(1).  
9. ACCESSORIES NECESSARY FOR ACTIVE CONSTRUCTION PROJECTS.  
10. EXISTING ROAD AND STREET ANTIENAL STRUCTURES TO FIT OR LESS IN HEIGHT. MAXIMUM ROAD SERVICE ANTIENAL TOWERS OVER 10 FEET IN HEIGHT SHALL BE BY SPECIAL USE PERMIT AND COME WITH THE REQUIREMENTS OF 16-20.01(1). EXCEPT THAT SUBSECTION (4) AND SUBSECTION (1)(A) SHALL NOT BE APPLICABLE TO SUCH APPLICATIONS.  
EXCEPT IN THE CASE OF HOME OCCUPATION, NO ACCESSORY USE SHALL BE OF A COMMERCIAL NATURE.  
NO ACCESSORY BUILDING SHALL BE CONSTRUCTED UNTIL CONSTRUCTION OF THE PRINCIPAL BUILDING IS COMPLETE. NO ACCESSORY BUILDING SHALL BE USED OR OCCUPIED UNTIL THE PRINCIPAL BUILDING IS COMPLETED AND IN USE.



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 $\mathbb{Z} \oplus \mathbb{Z}$   
 $\mathbb{Z} \oplus \mathbb{Z}$   
 Annals

**LEGAL DESCRIPTION**  
**Z-08-32 for Ridgewood Rd., N.W.**

All that tract or parcel of land lying and being in Land Lots 234 and 217 of the 17<sup>th</sup> District, City of Atlanta, Fulton County, Georgia, containing 1.893 acres, more or less, and being more particularly described as follows:

Commencing at the intersection of the easterly right-of-way of Ridge Wood Road (50' R/W) and the northerly right of way line of West Paces Ferry Road, thence running northerly along the easterly right-of-way line of Ridge Wood Road a distance of 653.0 feet to an iron pin set and the POINT OF BEGINNING; thence running along the easterly right of way of Ridge Wood Road the following three (3) calls and distances: (i) North  $13^{\circ}28'04''$  West, a distance of 44.88 feet to a point, (ii) North  $12^{\circ}34'55''$  West, a distance of 79.54 feet to a point, and (iii) an arc distance of 75.85 feet to an iron pin found (said arc being subtended by a chord distance of 75.38 feet, a bearing of North  $01^{\circ}30'37''$  West and a radius of 196.26 feet); thence leaving the easterly right-of-way line of Ridge Wood Road and running South  $83^{\circ}22'10''$  East, a distance of 256.84 feet to a #8 rebar found; thence running South  $66^{\circ}08'40''$  East, a distance of 170.13 feet to a #4 rebar found; thence running South  $50^{\circ}35'13''$  East, a distance of 226.25 feet to a point; thence running North  $85^{\circ}19'16''$  West, a distance of 557.61 feet to an iron pin set and the POINT OF BEGINNING.

Said tract being shown on that certain survey entitled Survey for Marvin R. McClatchey Estate By-Pass Trust, prepared by Barton Surveying Inc., bearing the seal of Travis Durham, Georgia Registered Land Surveyor No. 2950, dated October 1, 2007 and last revised October 9, 2007.

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RCS# 2015  
6/02/17  
3:26 PM

# Atlanta City Council

## REGULAR SESSION

08-O-1134, 1135, 1136, 1137, 1138, 1139, 1140  
1141, 1142, 1143, 1144, 1145, 1146,  
REFER ZRB/ZONE

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 1

Smith

Hail

Young

B Winslow

Y Archibong

Y Fauver

Y Shook

Y Muller

Y Moore

Y Martin

Y Maddox

Y Sheperd

NV Mitchell

NV Norwood

Y Willis

NV Borders

MULTIPLE